

THE WORK OF THE EXTRA SESSION.

[It is necessary to state that the first part of the following article was written before the writer had learned the proceedings of the last two days in Congress. These have been so different from what was anticipated that considerable modification is required of the positions we had taken under an erroneous hypothesis. These modifications are made in the part of the article which follows the line of asterisks.]

After so keen a party struggle as that just closed by the adjournment of Congress, it is natural to look back and study the acts of the national Legislature with the purpose of estimating their prospective consequences. In other words, the two questions are necessarily suggested:

What has Congress done?

What will be the effects of it?

What Congress has done will be pronounced much or little according to the way in which it is estimated.

If we are to answer the question by looking at the measures passed the answer will be "little indeed."

Besides passing the appropriation bills in regular routine, the statute-book contains the following provision:

"The money appropriated for the army is none of it to be expended in paying any part of the army while it may be used as a police force to keep the peace at the polls of any State."

That is all that appears on the United States statute-book, and if that were all, it would indeed be little enough, for it would not restrain a bold and unscrupulous executive officer for a moment from doing whatever he might desire with the army at the polls (and it is just possible that a similar case may escape the Presidential veto in reference to the pay of Assistant Marshals appointed by the President.) It is evident that the refusal of pay to soldiers while engaged in keeping the peace at the polls is not going to stand in the way of an unscrupulous President ordering the men wherever he may want them.

No soldier dare refuse an order because obedience to it may make his pay uncertain for a day or two; and the President himself has said that the Deputy Marshal shall not be the judiciary bill will not tie his hands at all. But such as they are, there is the legislation of the extra session.

But it is not on the pages of the statutes at large that we are to seek the work of the extra session; the way in which great powers to answer questions have been put and argued, and the position taken by the two great parties in reference to them, this, for good or for evil, will in the future be looked upon as the work of the extra session, fraught with incalculable results as regards the balance of power under the Constitution. For good or for evil, we say, and we confess ourselves unable to determine whether the good or evil will preponderate. If we were writing a mere party editorial our task might be easier, but we are aiming at something higher than this.

The debates of the extra session have virtually occasioned a new reading of the Constitution, and that reading, if it stands, must exercise immense influence on the future of the nation, long after the present party struggles shall have become a matter of history or oblivion.

This new reading, unless we are taking a strangely erroneous view of it, the money power has been transferred from the legislative to the executive branch of the Government, from Congress to the President.

It would have been a small thing if an empty, arrogant coxcomb like Conkling had done this (as he did tell us) that Congress had nothing to do with the appropriations but to vote them exactly as the various departments have made out their estimates for them. This is in substance what he did say, and no one was surprised or alarmed for it was Mr. Conkling that said it. But very shortly afterwards Messrs. Thurman and Bayard and General Hampton took what was virtually the same position. They contended that under no circumstances must Congress adjourn without making the appropriations. To say this before the President had said that he would draw up the appropriation bills himself, or at least prescribe the terms of them at his pleasure. He has only to veto them one after another, as he has been doing all this extra session, until one is presented to him which suits him, and then pass it when it has become not a measure of Congress but his measure; and so the Government of the United States would be a mere representative Government and become a bureaucracy; a mere administrative system carried on at the discretion of the executive departments.

That this is not the Constitution established in 1789, that Jefferson and Madison and even Hamilton did not so understand it is manifest from the fact that whenever a standing army was objected to in those days as furnishing the means of despotism, the answer was given that Congress votes the supplies on which the pay and transportation and subsistence of the army depends, and can therefore paralyze its action at any time when its use in the hands of the Executive becomes dangerous to the rights of the people. That answer must be withdrawn hereafter, and whenever the encroachments of the Executive, whatever the despotic purposes for which the army may be used, the supplies must be granted by Congress by means of which these purposes are carried out. For the most influential men of the Democratic party have said that dangerous powers are exercised by the President, powers subversive of the elective franchise of the people, and yet Congress must vote the means for carrying out these purposes, or the refusal to do so will be revolutionary.

We are not attacking the gentlemen who have done these things;

they acted upon their judgment of what was right, what was expedient, what was feasible, and we think it likely enough that the country would not have sustained a more vigorous policy at the polls; for it is very difficult to enlist popular enthusiasm in regard to an abstract constitutional question. Let the question be of a tobacco tax or whiskey tax in Tennessee, or of a bounty on shipping in Maine, and any amount of heat may be produced, but let it be a question of the balance of power between Federal Government and the States and the lethargy of the people is such that Jove's own thunder will not arouse them. As party leaders, then, perhaps they were right in not taking the position which would fail to be sustained by the popular vote. But in that case the whole business of the extra session was a mistake; in that case the appropriations should have been voted in the regular session without riders, and the money power residing in Congress would not have been renounced. And here again we are met with the answer that the extra session was forced upon these Democrats by the impatience of the Democrats in general, who could not be induced to vote the army and civil service and judiciary appropriations while the statutes enablist the appointment of Supervisors, the use of the army at the polls and the packing of juries in the Federal Courts. So let it be. Let everyone have his excuse, and we doubt not everyone acted to the best of his judgment.

We did not commence this article with the purpose of blaming anyone, but for that of determining where we stand now as a result of the whole, and we are not limiting our investigation to its effects upon the balance of parties, but consider it in reference to the balance of the great powers of Government, and we here say that we no more desire to see a Democratic President and Executive invested with the powers now recognized as theirs than we do to confer those powers to Grant, a Blaine or a Conkling. Let us rise above party for a short time at least. If the Executive departments are to determine the appropriations; if the President is to mould the bill containing them by a succession of vetoes and not pass one until it suits him, while for the failure to pass them Congress is to be held responsible and not the President; and if the adjournment without voting them is revolutionary on the part of Congress, what conditions the President may lay down for withdrawing his veto, then Congress must come into his conditions, whatever they are, and the money power is in his hands and not in those of Congress. And if the practical working of the Constitution is to be so reversed, it matters little to us whether the autocrat so set up is called a Republican or a Democrat.

The above was written before we were acquainted with the proceedings of the last two days in Congress. These have so completely gone beyond our expectation and beyond the policy which might have been anticipated from the previous action of the House, that much that has been said in the above must be modified. Our first thought was to withdraw what we had written altogether, but on consideration it occurred to us that it had better be left as it was, for that a better justification of the bold and firm stand which Congress took at the last moment cannot be made out than by showing the deplorable effect which must have resulted had they acted otherwise.

The President, on the eve of the adjournment of Congress sent in his fifth veto. The bill which he vetoed was an appropriation of \$200,000 for the expenses of the extra session, and contained a clause forbidding the employment of additional officers beyond those provided for in this appropriation bill. This clause is the one on which the veto is defended. Almost immediately after the reception of this veto Congress adjourned without any further effort to complete the appropriations, which had been twice defeated by the President's veto.

Thus, if nothing else has been done, the principle has been adhered to that the appropriations shall be made by Congress at its own discretion and not under the dictation of an overbearing executive. Whatever inconvenience may result from the failure of the appropriation for the Marshals and Deputy Marshals is the direct result of the President's veto, which he has twice prevented the passage of a bill for that purpose—we believe that these inconveniences will be small unless intentionally aggravated by the President for popular effect, but great or small, he and his stalwart advisers are alone responsible.

However, the effect of all this upon the status of parties is a subject which cannot come in at the end of an article like this, but will be discussed from many points of view before the President is elected.

We will only say at present that we gladly accept the position as it stands, that it is the very position we would have selected for the approaching contest before the people, and that on this line we are willing to fight it out all summer and winter too, and another summer clear down to November, 1880.

PROVED AT LAST.

It has long been known that the Greenback movement in the Western States is secretly kept up by the Republican party, and we have more than once impressed this truth on our readers. Categorical proof of this alliance has, however, been not so easy to get at; but lately a Washington correspondent has written that the Greenback Little Comedies has been which throws a flood of light upon this subject.

There is a paper published in Ohio by an ex-Confederate editor of the extreme National-Labor-Greenback complex entitled the "National View." Its editor approached Mr. Robinson, Chairman of the Ohio Republican State Committee, and represented that he was doing good work for the Republican party there by opposing the reunion of the Greenback and Democratic parties there, and surely he was entitled to the subsidy customary

in such cases. For some reason Robinson declined to invest, and the virtuously indignant ex-Confederate editor writes to the Republican Congressional Committee at Washington about it; said committee reports favorably on the application and its financial secretary writes to Chairman Robinson to come up to Washington about that and other matters. A few days afterwards a gentleman of Western appearance enters Hubbel's office and Hubbel begins on him. He tells him the "National View" is doing good work in Ohio; that unless the reconciliation between the Democrats and Greenbacks is prevented, the Democrats will certainly get the State of Ohio, and if they get that the Presidency must follow, and therefore the "National View" must be sustained, "and therefore, Mr. Robinson—" A smile which had been gathering on the face of the supposed Robinson here broadened into a decided grin as he told Hubbel that he was not Robinson or any other Republican, but Oscar Turner, a good Kentucky Democrat at his service, and the exit was out of the bag. Ed. Hubbel finds he has made a blunder of the largest dimensions.

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FREE QUININE—BRAVO, MCKENZIE!

When the House elected for their Speaker a protectionist Democrat, Mr. Randall, and when that Speaker placed at the head of the Committee on Ways and Means Mr. Fernando Wood, another protectionist, the friends of a monopoly in quinine suffered severe discomfiture. All measures looking in that direction are in the ordinary routine of business referred to the Committee on Ways and Means, and Mr. Wood has taken care so far that they should enjoy there an eternal rest.

The prohibitory impost on quinine is so palpable and monstrous a grievance, doubling as it does the price of an article indispensable to millions of the poor and afflicted in order to keep up a monopoly which has been productive of millions to the members of two firms in Philadelphia, that Mr. J. A. McKenzie determined if possible to push a bill through the House for its repeal without allowing its reference to the fatal Ways and Means Committee. As might be known before, the Pennsylvania members, Republican and Democrat, came to the rescue in behalf of the millions against the people, but some of the Western and Southern Republicans united with the body of the Democratic party to carry it through the House, and on the last day but one before the close of the session, it passed the Senate. It now only awaits the signature of the President, which, unless the veto practice has become a chronic disease with that gentleman, it must receive in due time, and then at last the people's cause is carried against that of the millionaire monopolists. Again we say, bravo! McKenzie.

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We will only say at present that we gladly accept the position as it stands, that it is the very position we would have selected for the approaching contest before the people, and that on this line we are willing to fight it out all summer and winter too, and another summer clear down to November, 1880.

PROVED AT LAST.

It has long been known that the Greenback movement in the Western States is secretly kept up by the Republican party, and we have more than once impressed this truth on our readers. Categorical proof of this alliance has, however, been not so easy to get at; but lately a Washington correspondent has written that the Greenback Little Comedies has been which throws a flood of light upon this subject.

There is a paper published in Ohio by an ex-Confederate editor of the extreme National-Labor-Greenback complex entitled the "National View." Its editor approached Mr. Robinson, Chairman of the Ohio Republican State Committee, and represented that he was doing good work for the Republican party there by opposing the reunion of the Greenback and Democratic parties there, and surely he was entitled to the subsidy customary

in such cases. For some reason Robinson declined to invest, and the virtuously indignant ex-Confederate editor writes to the Republican Congressional Committee at Washington about it; said committee reports favorably on the application and its financial secretary writes to Chairman Robinson to come up to Washington about that and other matters. A few days afterwards a gentleman of Western appearance enters Hubbel's office and Hubbel begins on him. He tells him the "National View" is doing good work in Ohio; that unless the reconciliation between the Democrats and Greenbacks is prevented, the Democrats will certainly get the State of Ohio, and if they get that the Presidency must follow, and therefore the "National View" must be sustained, "and therefore, Mr. Robinson—" A smile which had been gathering on the face of the supposed Robinson here broadened into a decided grin as he told Hubbel that he was not Robinson or any other Republican, but Oscar Turner, a good Kentucky Democrat at his service, and the exit was out of the bag. Ed. Hubbel finds he has made a blunder of the largest dimensions.

Question—Will the ex-Confederate editor get his subsidy?

Oh, blundering Hubbel, You're surely in trouble, For Robinson is not, But Robinson's double, You've let out the secret And busted the bubble.

FREE QUININE—BRAVO, MCKENZIE!

When the House elected for their Speaker a protectionist Democrat, Mr. Randall, and when that Speaker placed at the head of the Committee on Ways and Means Mr. Fernando Wood, another protectionist, the friends of a monopoly in quinine suffered severe discomfiture. All measures looking in that direction are in the ordinary routine of business referred to the Committee on Ways and Means, and Mr. Wood has taken care so far that they should enjoy there an eternal rest.

The prohibitory impost on quinine is so palpable and monstrous a grievance, doubling as it does the price of an article indispensable to millions of the poor and afflicted in order to keep up a monopoly which has been productive of millions to the members of two firms in Philadelphia, that Mr. J. A. McKenzie determined if possible to push a bill through the House for its repeal without allowing its reference to the fatal Ways and Means Committee. As might be known before, the Pennsylvania members, Republican and Democrat, came to the rescue in behalf of the millions against the people, but some of the Western and Southern Republicans united with the body of the Democratic party to carry it through the House, and on the last day but one before the close of the session, it passed the Senate. It now only awaits the signature of the President, which, unless the veto practice has become a chronic disease with that gentleman, it must receive in due time, and then at last the people's cause is carried against that of the millionaire monopolists. Again we say, bravo! McKenzie.

It is a good thing sometimes to have things done up in small packages, and our contemporary the New York World sums up with a commendable terseness the issues of the campaign in Ohio as put forward by the Radical leaders there:

The Ohio Republicans are in a decidedly anxious quandary. They are divided on the war issue, but the Democrats had the bad luck to put two Union soldiers on their ticket, at the head of their ticket, and as during the war the Union soldiers were the most popular of men, the Republicans were badly handicapped from the start. The Democrats, on the other hand, are in a position to make a strong appeal to the great and agonizing issue of the next election, and have done so. They have taken up their position on the platform of peace and reconciliation, and have done so in a way that has been well received by the people.

Thus, if nothing else has been done, the principle has been adhered to that the appropriations shall be made by Congress at its own discretion and not under the dictation of an overbearing executive. Whatever inconvenience may result from the failure of the appropriation for the